

The Daily Gazetteer.

MONDAY, MAY 2. 1737.

Nov. 578

N^o 577.

GENERAL VIEW of CIVIL LIBERTY; its Extent; and Restraints.

GREAT is the Mischief that arises from good Words prostituted and misapplied. The Name of a King was, originally, and is still, in its genuine Sense, like the Office of a King, exceeding venerable and pleasing; till mad Ambition, and servile Flattery, by rendering the Office odious, and provoked the People to banish the Name, and to hold the Name in perpetual Detest.

Word Commonwealth is likewise a very good one, when 'tis well understood; namely, a Society, provoked by Tyranny, or forced by Licentiousness, to govern themselves by Magistrates of their own making, where these Regulations were found unequal and unbecoming for Protection to some, and for Snares to others, and when these Magistrates governed only themselves and not for All, the Government being thus unjust and hated, the Name of the Government grew unpopular.

Church, a Word which has naturally more weight over the Minds of Men than any Civil one, or Name of Government, can possibly have, when lost Credit and Respect, by striving to force Religion; and forfeited the Reputation of Holiness, by calling Things holy which were not so, but, on the contrary, were very worldly, very false and, and therefore offensive and despised.

Liberty, the most amiable and respected of all Things, a Word which implies all Social Rights, has been often endangered or lost, by laying more upon it, or expecting more from it, than it can bear or afford. Liberty, which implies all Restraints as are necessary to secure the Persons, Estates and Properties of Men, from the Assaults and Malice of such as despise all Restraints but what accompanied with Penalties, doth thus distinguish from Licentiousness; which, by allowing no Restraints, and breaking all, is an utter Enemy to Liberty. Liberty professes to guard the Weak against the Mighty, the Peaceable against the Violent; Liberty gives most Power to him who has most Right, most Success to the most violent, and leaves Honour and Innocence to the Mercy of Folly and

Liberty is, therefore, little understood by those who think it hard, and a Sort of Slavery, that cannot say and do what they please in a Free State. It is, indeed, a Proof of the Freedom of a State, that some cannot say and do what they please, satisfy their own licentious Passions, and wantonly offend others.

It is generally said, That Words ought to be Free. Innocent Words, such as disturb not Society, injure any of its Members. It is certain, that as Men may be undone by unbridled Slander, the Publick be shaken, and even overturned, by railing Misrepresentations, and the unbridled

of Sedition. Men are very apt in all Countries, to take needless Disgusts at their Governors; and were Incendiaries, such as no Country ever wanted, left at full Liberty to insult and improve those who, to spread and invent whatever inflammatory and alarming Grievances their own Spite imaginations suggested, it is hardly possible that Government could subsist a Month; but the Members must be continually changed or butchered, the Government continually changing; or, rather, there could be no Government at all, but a perpetual Struggle on one Side to govern, and on the other not to be governed.

Free Governments have, therefore, forbid and repressed the spreading of false News, and Libels upon the State as well as upon Individuals. The very Name of Government and of Liberty implies the Necessity of it. In the freest Countries there are some Restraints which must not be free, and this even for the

Sake of Freedom: And, where evil Speaking is necessarily followed by evil Actions, 'tis necessary to restrain evil Speaking. Whoever can say whatever he will of his Governors, will soon have more Power than they, and be able to do what he will with them or against them.

By restraining and punishing evil Speaking, I do not mean every rash Word, or Sally of Passion concerning the Administration; much less do I mean the putting a severe and criminal Construction upon Words, which can bear another and harmless Sense. It is the Spirit and Work of Tyranny, to watch for and exercise Severity upon every rash or idle Saying, and to wrest innocent Expressions into a treasonable Intention. What I mean, is a malicious, busy and deliberate inveighing against the Government; a loading it with false Aspersions, and exposing it to the Contempt and Hate of the Governed. Such Words as these are envenomed Arrows, sure of destroying, and it concerns the very Being of the State to prevent and punish them. Surely every Government must have a Right to restrain whatever has a direct Tendency to destroy the Government when it is not restrained.

No Country, therefore, not even this Country, the freest of all others, can permit an universal Latitude of Speaking and Writing; and the Liberty of the Press, so highly and so justly valued amongst us, is and must be subject to certain Bounds. No Man, I presume, will contend, that by the Liberty of the Press any Man should have the Privilege of reviling the Person of the King, or of traducing his Government; or of treating the two Houses of Parliament contumeliously; or of persuading the People that they are oppressed and enslaved, and ought to revolt; or of spreading Calumnies at random upon Men and Women of all Ranks, or of any Rank.

The Liberty of the Press, is, therefore, no more, even in England, than the reasonable Liberty of Writing and Publishing whatever is consistent with the English Laws and Constitution. This is Liberty enough, and these are but reasonable Bounds; and, I believe, no Instance can be given of their having been ever in the least violated under this Government. Even the Publick Complaints of the Want of such Liberty, are Proofs how much it prevails; since in Countries where 'tis really wanting, they dare make no such Complaints.

As I am a perfect Friend to such Liberty, I cannot wish it under any new Restrictions; for though this Liberty is often abused, I fear those Restrictions would be as much abused; and the Abuse of Penal Laws is generally worse than the Abuse of Liberty. The Abuse of either is very wicked, and must be attended with mischievous Consequences; and they have much to answer for, who commit that Abuse.

Power unrestrained is Tyranny; Liberty unrestrained, does certainly produce Slavery. As all Government subsists in a great Measure, by Restraints and Terrors, the Idea of absolute Liberty utterly excludes the Idea of Government, and consequently, of Society; which may subsist, though unhappily, under Tyranny, but cannot where there is no Restraint at all.

It is even necessary to the Existence and Preservation of Society, that the governing Power should be absolute, and have the Sovereign Disposal of the Properties and Persons of all the Individuals. Since whatever, or whoever, has a Latitude to oppose it, may destroy it; and therefore no Government whatever admits such a Latitude.

Thus the Power of our Three States is as absolute as that of the Great Turk; but as they are themselves bound and concluded by their own Laws, Individuals are secure by being upon the same Foot with their Governors: And this general and equal Security, this Certainty of what is allowed and what is forbid, by certain and unvariable Laws, is what we call Liberty; the Laws being the common Directory, by which the Actions of every Man whatsoever are bounded or left free. Whereas under Governments which are called Arbitrary, the Lives and Properties of all Men are at the Mercy of One, and depend upon his Pleasure or Pride; upon his Moods, his Fury or his Fears, or upon those of the Minions who manage and advise him.

But every Government whatsoever is invested

with a supreme, uncontrollable Power of preserving itself. For if it could not preserve itself, how could it preserve its People? Nor is any Government upon Earth, even such Governments as are armed with the most sudden and terrible Powers and Methods of Punishment, able to stand against a Torrent of Sedition unrestrained. A single, angry, and declaiming Beggar, by standing in the Market-Place of Constantinople, and animating the Crowd about him against the Government, occasion'd a prodigious Revolution there in a Day or two, made and deposed Emperors and Ministers at his Pleasure, acted the Sovereign in Rags, and gave Laws to that mighty Empire.

I own, that such enormous Power as the Great Turk possesses, renders him as insecure, as 'tis pernicious to his People; and that no Prince can be so perfectly safe as where the Subjects are free. But in Countries that are free, does the Enjoyment of the utmost Liberty and Indulgence, and the most legal and gentle Exercise of Government, always secure the Government? What one Act of Violence or Oppression was committed by the late King, what one Attempt made by him upon Liberty and Property, to countenance or give any Pretence or Colour to the Rebellion, which soon followed his peaceable and legal Accession to the British Crown? And what else was it that raised it but the wanton Pride and Resentment of a few principal Men, who had the Art and Success to inflame and bewitch the People with wild Inventions and Party Cries, and the incessant Voice of Sedition? Perhaps History affords not an Insurrection so utterly mad and unprovoked. Such was the Force of monstrous Misrepresentations, false Tales, and poisonous Libels, that the Sense of Protection was lost in the Spirit of Disaffection, and Liberty ungratefully perverted into Revolt.

A few Ballad-singers uncontroll'd, if their Dirties be but tolerably droll and malicious, are sufficient to cause Disaffection in a State, to raise Disaffection into a Ferment, and that Ferment into a Rebellion.

I have said thus much upon the Subject of Liberty, to satisfy the People, who are always liable to be misinform'd about the plainest Things; and therefore ought always to be truly inform'd. That Civil Liberty is not a lawless Immunity of doing and saying what they please, which would be a State of Slavery: Slavery of the Weak to the Strong, of the Innocent to the Malicious; but that it is only a Right to be free where the Laws bind not; I mean Laws made or allowed by their own Representatives; a Right to direct our own Actions, when such Actions interfere not with the Rules of Society.

SOLON. 3

PORT NEWS.

Virginia, March 14. The Amy, Newham, is arrived from London.

Portsmouth, April 29. From Spithead are sailed his Majesty's Ships Captain, Capt. Geddes, into our Harbour; the Looe, Capt. Best, and the Pembroke, Capt. Harvey, both to the Eastward; and this Morning the Rippon, Capt. Cottrell, for Plymouth. Remain at Spithead his Majesty's Ships the Eltham and Sheerness. Wind N. E.

Dover, April 29. Arrived off of our Port the Elizabeth, Lee, from South Carolina for London.

Deal, April 29. Wind S. by E. This Forenoon sailed the Asia, Fisher, and the Affiento, Benner, for Guinea and Buenos Ayres; and the Hewer, Morrock, for Cadiz. Remain the Molly, Dunning, for Guinea; and the Dutch Ship for East India. Arrived yesterday from Lynn and Yarmouth, and are sailed, the Abel and Mary, Beckworth, and the John and Ruth, Branchard, for Cadiz.

Deal, April 30. Wind N. E. The Dutch East India Ship and the other Outward bound are sailed. Came down yesterday Afternoon, and sailed this Morning, the Gibraltar, Mickel, for Leghorn; the New Hampshire, Hills, for New England; the Webster, Stephens, for Dublin; and the Endeavour, Bradford, for Faro. Remain in the Downs the Molly, Dunning, for Guinea; the Mary-Anne, Go-beard, for Northbergen. Just now arrived his Majesty's Ship Pembroke.

Gravesend, April 29. Passed by the John and Be-



ty, Strahan, from Ostend; the Pomeroy, Rouse, from Virginia; the Molly and Richard, Stroude, from Carolina; the Mary, Hill, from Cadiz; the Page, Ashby, from Rotterdam; the Charming Nancy, Curling, from Lisbon.

L O N D O N.

Yesterday their Majesties, their Royal Highnesses the Prince and Princess of Wales, and the Princesses Amelia and Caroline, went to the Royal Chapel at St. James's, when Dr. Croxall preached before their Majesties; after which they dined in Publick in the Great State Ball-Room.

On Saturday last their Majesties went from St. James's to Richmond, walk'd some Time in the Gardens, dined there, and returned in the Evening.

The same Day his Royal Highness the Prince of Wales, with several Persons of Distinction, diverted himself at Bowls, at Marybone Bowling-Green.

The same Day Money was sent from the Pay-Office in Broadstreet to Woolwich, to pay the Company of his Majesty's Ship the Shoreham, to the 31st of December last.

The same Day, 17 Soldiers were severely whipt on the Parade in St. James's Park, for divers Misdemeanors.

Yesterday the Lady Johnson lay very dangerously ill, at her House in Conduit-street.

BANKRUPTS.

John Newton, late of Silver-street, London, Merchant.

Benjamin Bradley, of London street, London, Broker and Chapman.

William Hill, of Bridgewater, in the County of Somerset, Malster.

Bank Stock 147 to 148. India 181 1-half, 182 1-half. South Sea 103, 104. Old Annuity 110 3-4ths, 111, 110 5-8ths, a 3-4ths. New ditto 111 7-8ths, 112 1-half, 112 1-4th a 1-half. Three per Cent. 106. Emperor's Loan 116 3-8ths a 1-half. Royal Assurance 109. London Assurance 14 1-half a 3-4ths. York Buildings 2. African 14. New India Bonds 61, 135 to 175. Premium. Old ditto 61 4s. to 145. Prem. South Sea ditto 31. 10s. Prem. Bank Circulation 21. 10s. Prem. Salt Talties 1 1-half to 3 1-half Prem. English Copper 21. 10s. Welch ditto 15 s. Three 1-half per Cent. Exchequer Orders 6 1-half a 3-4ths per Cent. Prem. Three per Cent. ditto 3 per Cent. Prem. Million Bank 120.

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STOLEN or STRAYED from Ted-

dington Common near Hampton-Court, the 16th of April, a black HORSE, full aged, with a Star in his Forehead, cut Tail, flat ribbed, thirteen Hands and a half high. Whoever brings him to Ralph Davis of Teddington, shall have a Guinea Reward, and no Questions asked.

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For the Month of APRIL, 1737.

This Number contains the following Articles.

- I. Remarks upon the Death of Herod the younger, mentioned in the Acts, and the Owl that appeared to him at that Time, as it is related by Josephus. By Charles Lamotte, D. D.
- II. An Account of Mr. Lowman's Paraphrase and Notes on the Revelation of St. John.
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- VII. Brief Observations on four Pieces lately printed in the metaphysical Way.
- VIII. A Catalogue of the principal Books published this Month.

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